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December 5, 2019

Hon. Paul A. Engelmayer
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Kogan v. Facebook, Inc.*, No. 19-cv-2560-PAE

Dear Judge Engelmayer,

We respectfully submit this letter as counsel to Defendants in this action regarding two related motions pending before the Court.¹

On December 2, 2019, Plaintiff responded to the Court's recent Order to Show Cause by filing a motion for leave to file a waiver of service form, or, in the alternative, to extend the time for serving the original complaint. (Dkts. #18-21). We intend to respond to Plaintiff's motion in accordance with the fourteen day deadline set forth in Local Rule 6.1(b), that is, on or before December 16, 2019.

Today—the first day available following safe-harbor service pursuant to Federal Rule of Civil Procedure 11—Defendants moved for Rule 11 sanctions. (Dkts. #22-24). We enclose a courtesy copy of an Affidavit of Service, evidencing that twenty-one days ago, on November 14, 2019, Plaintiff's counsel Jennifer Beckage was served with our Notice of Motion Seeking Sanctions Pursuant to Rule 11, our Memorandum of Law in Support, and the Declaration of Amanda M. Aycock in Support and accompanying exhibits.

Respectfully submitted,

/s Orin Snyder

Encl.

¹ If this action proceeds past the instant motion practice, Defendants intend to move to dismiss this case for lack of personal jurisdiction. Each of the individual defendants lives in California, Facebook is incorporated in Delaware and has its principal place of business in California, and none of the conduct complained of in this case occurred in New York. Defendants, therefore, expressly reserve their right to object to and challenge personal jurisdiction.